

ending June 1994. The domestic manufacturers' share of the market for women's and girls' wool coats, Category 435, declined from 54 percent in 1992 to 45 percent in 1993, a decline of 9 percentage points, and fell to 44 percent during the year ending June 1994.

*Duty-Paid Value and U.S. Producers' Price*

Approximately 83 percent of Category 435 imports from Indonesia during the year ending September 1994 entered under HTSUSA 6202.11.0010—Women's wool overcoats, carcoats, capes and similar items; and HTSUSA 6204.31.2010—Women's wool suit-type coats, other than silk blend jackets of 30% or more silk. These coats entered the U.S. at landed duty-paid values substantially below U.S. producers' prices for comparable wool coats.

**Committee for the Implementation of Textile Agreements**

January 13, 1995.

Commissioner of Customs,  
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as further extended on December 9, 1993; pursuant to the Bilateral Cotton, Wool, Man-Made Fiber, and Silk Blend and Other Vegetable Fiber Textile Agreement of May 8, 1992, as amended and extended, between the Governments of the United States and Indonesia; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 26, 1995, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Category 435, produced or manufactured in Indonesia and exported during the period beginning on December 29, 1994 and extending through March 28, 1995, in excess of 12,475 dozen.<sup>1</sup>

Textile products in Category 435 which have been exported to the United States on and after July 1, 1994 shall remain subject to the levels for Group II and the Group II subgroup established in the directive dated November 3, 1994 for the period July 1, 1994 through December 31, 1994. Also, Category 435 shall remain subject to monitoring in Group II and the Group II subgroup for the January 1, 1995 through December 31, 1995 period (see directive dated December 13, 1994).

Textile products in Category 435 which have been exported to the United States prior to December 29, 1994 shall not be subject to the limit established in this directive.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

<sup>1</sup> The limit has not been adjusted to account for any imports exported after December 28, 1994.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,

*Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 95-2292 Filed 1-26-95; 11:19 am]

**BILLING CODE 3510-DR-F**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board Task Force on Theater Missile Defense (TMD)

**ACTION:** Change in date of Advisory Committee meeting notice.

**SUMMARY:** The meeting of the Defense Science Board Task Force on Theater Missile Defense (TMD) scheduled for January 17-18, 1995 as published in the **Federal Register** (Vol. 60, No. 6, Page 2575, Tuesday, January 10, 1995, FR Doc. 95-477) will be held on February 1-2, 1995. In all other respects the original notice remains unchanged.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

Dated: January 25, 1995.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 95-2195 Filed 1-27-95; 8:45 am]

**BILLING CODE 5000-04-M**

#### Defense Science Board Task Force on Role of Federally Funded Research & Development Centers (FFRDC's) in DoD Mission

**ACTION:** Change in location of advisory committee open meeting notice.

**SUMMARY:** The meeting of the Defense Science Board Task Force on Role of Federally Funded Research & Development Centers (FFRDC's) in DoD Mission scheduled for February 7, 1995 as published in the **Federal Register** (Vol. 60, No. 13, Page 4150, Friday, January 20, 1995, FR Doc. 95-1370) will be held at the Institute for Defense Analyses, 2001 N. Beauregard Street, Alexandria, Virginia. In all other respects the original notice remains unchanged.

Dated: January 25, 1995.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 95-2196 Filed 1-27-95; 8:45 am]

**BILLING CODE 5000-04-M**

#### Defense Science Board Task Force on Combat Identification

**ACTION:** Notice of advisory committee meetings.

**SUMMARY:** The Defense Science Board Task Force on Combat Identification will meet in closed session on February 16-17, 1995 at The MITRE Corporation, Bedford, Massachusetts.

The mission of the Defense Science Board is to advise the Secretary of Defense through the Under Secretary of Defense (Acquisition and Technology) on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting the Task Force will evaluate the DoD long term strategy and plan for development and fielding of a comprehensive situational awareness (SA) and combat identification (CID) architecture.

In accordance with Section 10(d) of the Federal Advisory Committee Act, P.L. No. 92-463, as amended (5 U.S.C. App. II, (1988)), it has been determined that this DSB Task Force meeting, concerns matters listed in 5 U.S.C. 552b(c)(1) (1988), and that accordingly this meeting will be closed to the public.

Dated January 25, 1995.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 95-2197 Filed 1-27-95; 8:45 am]

**BILLING CODE 5000-04-M**

#### Manual for Courts-Martial

**AGENCY:** Joint Service Committee on Military Justice (JSC).

**ACTION:** Notice of proposed amendment.

**SUMMARY:** The Department of Defense is considering recommending changes to Military Rule of Evidence 412, as set forth in the Manual for Courts-Martial, United States, 1984, Executive Order No. 12473, as amended by Executive Order Nos. 12484, 12550, 12586, 12708, 12888, and 12936. The proposed revision resulted from changes made to Federal Rule of Evidence 412 by the Violent Crime Control and Law Enforcement Act of 1994, as necessitated by Military Rule of Evidence 1102.

The proposed changes have not been coordinated within the Department of Defense under DoD Directive 5500.1, "Preparation and Processing of Legislation, Executive Orders, Proclamations, and Reports and Comments Thereon", May 21, 1964, and do not constitute the official position of the Department of Defense, the Military Departments, or any other government agency.

This notice is provided in accordance with DoD Directive 5500.17, "Review of the Manual for Courts-Martial", January 23, 1985. This notice is intended only to improve the internal management of the Federal government. It is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

The proposed changes follow in their entirety:

**RULE 412.—NONCONSENSUAL SEXUAL OFFENSES; RELEVANCE OF VICTIM'S BEHAVIOR OR SEXUAL PREDISPOSITION**

(a) EVIDENCE GENERALLY INADMISSIBLE—The following evidence is not admissible in any proceeding involving alleged sexual misconduct except as provided in subdivisions (b) and (c):

(1) Evidence offered to prove that any alleged victim engaged in other sexual behavior.

(2) Evidence offered to prove any alleged victim's sexual predisposition.

**(b) EXCEPTIONS—**

(1) In a proceeding, the following evidence is admissible, if otherwise admissible under these rules:

(A) evidence of specific instances of sexual behavior by the alleged victim offered to prove that a person other than the accused was the source of semen, injury, or other physical evidence; or

(B) evidence of specific instances of sexual behavior by the alleged victim with respect to the person accused of the sexual misconduct offered by the accused to prove consent or by the prosecution; and

(C) evidence the exclusion of which would violate the constitutional rights of the accused.

**(c) PROCEDURE TO DETERMINE ADMISSIBILITY—**

(1) A person accused of committing a non-consensual sexual offense who intends to offer evidence under subdivision (b) must—

(A) file a written motion at least 5 days prior to trial specifically describing the evidence and stating the purpose for which it is offered unless the military judge, for good cause shown, requires a

different time for filing or permits filing during trial; and

(B) serve the motion on the government and the military judge and notify the allowed victim or, when appropriate, the alleged victim's guardian or representative.

(2) Before admitting evidence under this rule, the military judge must conduct a hearing, which shall be closed. At this hearing the parties may call witnesses, including the alleged victim, and offer relevant evidence. The victim must be afforded a reasonable opportunity to attend and be heard. In a case before a court-martial composed of a military judge and members, the military judge shall conduct the hearing outside the presence of the members pursuant to Article 39(a). The motion, related papers, and the record of the hearing must be sealed and remain under seal unless the court orders otherwise.

(3) If the military judge determines on the basis of the hearing described in paragraph (2) that the evidence which the accused seeks to offer is relevant and that the probative value of such evidence outweighs the danger of unfair prejudice, such evidence shall be admissible in the trial to the extent an order made by the military judge specifies evidence which may be offered and areas with respect to which the alleged victim may be examined or cross-examined.

(d) For purposes of this rule, the term "sexual behavior" means sexual behavior other than the sexual behavior with respect to which a nonconsensual sexual offense is alleged. The term "sexual predisposition" refers to an alleged victim's mode of dress, speech, or lifestyle that does not directly refer to sexual activities or thoughts but that may have a sexual connotation for the factfinder.

(e) A "nonconsensual sexual offense" is a sexual offense in which consent by the victim is an affirmative defense or in which the lack of consent is an element of the offense. This term includes rape, forcible sodomy, assault with intent to commit rape or forcible sodomy, indecent assault, and attempt to commit such offenses.

The following information shall be added to the end of the Analysis Section for M.R.E. 412 (Appendix 22, M.R.E) as follows:

*1995 Amendment:* The revisions to Rule 412 reflect changes made to Federal Rule of Evidence 412 by the Violent Crime Control and Law Enforcement Act of 1994. The purpose of the amendments is to safeguard the alleged victim against the invasion of privacy and potential embarrassment

that is associated with public disclosure of intimate sexual details and the infusion of sexual innuendo into the factfinding process.

The terminology "alleged victim" is used because there will frequently be a factual dispute as to whether the sexual misconduct occurred. Rule 412 does not, however, apply unless the person against whom the evidence is offered can reasonably be characterized as a "victim of alleged sexual misconduct."

The term "sexual predisposition" is added to Rule 412 to conform military practice to changes made to the federal rule. The purpose of this change is to exclude all other evidence relating to an alleged victim of sexual misconduct that is offered to prove a sexual predisposition. It is designed to exclude evidence that does not directly refer to sexual activities or thoughts but that the accused believes may have a sexual connotation for the factfinder.

Admission of such evidence would contravene Rule 412's objectives of shielding the alleged victim from potential embarrassment and safeguarding the victim against stereotypical thinking. Consequently, unless the an exception under (b)(1) is satisfied, evidence such as that relating to the alleged victim's mode of dress, speech, or lifestyle is inadmissible.

In drafting Rule 412, references to civil proceedings were delegated, as these are irrelevant to court-martial practices. Otherwise, changes in procedure made to the federal rule were incorporated, but tailored to military practice. The military rule adopts a 5-day notice period, instead of the 14-day period specified in the federal rule. Additionally, the military judge, for good cause shown, may require a different time for such notice or permit notice during trial. The 5-day period preserves the intent of the federal rule that an alleged victim receive timely notice of any attempt to offer evidence protected by Rule 412. Given the relatively short time period between referral and trial, the 5-day period is more compatible with court-martial practice.

Similarly, a closed hearing was substituted for the *in camera* hearing required by the federal rule. Given the nature of the *in camera* procedure used in Rule 505(g)(4), and that an *in camera* hearing in the district courts more closely resembles a closed hearing conducted pursuant to Article 39(a), the letter was adopted as better suited to trial by courts-martial. Any alleged victim is afforded a reasonable opportunity to attend and be heard at the closed Article 39(a) hearing. The closed hearing, combined with the new

requirement to seal the motion, related papers, and the record of the hearing, fully protects an alleged victim against invasion of privacy and potential embarrassment.

These amendments would take effect upon approval by the President, subject to the following:

a. The amendments made to Military Rule of Evidence 412 would apply only to cases convened on or after (effective date).

**ADDRESSES:** Copies of the proposed changes may be examined at Office of the Judge Advocate General, Criminal Law Division, Building 111, Washington Navy Yard, Washington, D.C. 20374-1111. A copy of the proposed changes may be obtained by mail upon request from the foregoing address, ATTN: LT Kristen M. Henrichsen.

**DATES:** Comments on the proposed changes must be received no later than April 17, 1995 for consideration by the Joint Service Committee on Military Justice.

**FOR FURTHER INFORMATION CONTACT:** LT Kristen M. Henrichsen, JAGC, USN, Executive Secretary, Joint Service Committee on Military Justice, Office of the Judge Advocate General, Criminal Law Division, Building 111, Washington Navy Yard, Washington, D.C. 20374-1111; (202) 433-5895.

Dated: January 24, 1995.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 95-2121 Filed 1-27-95; 8:45 am]

**BILLING CODE 5000-04-M**

## Department of the Air Force

### Record of Decision (ROD) for the Disposal and Reuse of Castle Air Force Base (AFB) California

On January 3, 1995, the Air Force signed the Record of Decision (ROD) for Castle Air Force Base (AFB), California. The decisions included in this ROD have been made in consideration of the Castle AFB Disposal and Reuse Final Environmental Impact Statement (FEIS), which was filed with the Environmental Protection Agency and released to the public on November 25, 1994, and other relevant considerations.

Castle AFB is scheduled to close on September 30, 1995. The major methods which will be utilized to dispose of the approximate 2,777 acre base are: public airport conveyance (approximately 1,580 acres), Federal transfer to the Federal Bureau of Prisons (approximately 659 acres), public park conveyance (approximately 18 acres)

public education conveyance (approximately 128 acres), and public or negotiated sale (approximately 350 acres).

The uses proposed for the property by prospective recipients of property under the ROD are consistent with the community's redevelopment plan for the base. The ROD announced that any potential environmental impacts would result directly from reuse and redevelopment by others. Likewise, most of the mitigation of environmental impacts would be the responsibility of future owners and developers. The Air Force has tried to take all practical measures to avoid or minimize environmental harm that may occur as a result of its disposal action.

Any Questions regarding this matter should be directed to Mr. John P. Carr, Program Manager, Northwest Region. Correspondence should be sent to AFBCA/NW, 1700 N. Moore Street, Suite 2300, Arlington, VA 22209-2809.

**Patsy J. Conner,**

*Air Force Federal Register Liaison Officer.*

[FR Doc. 95-2126 Filed 1-27-95; 8:45 am]

**BILLING CODE 3910-01-M**

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

**DATES:** Interested persons are invited to submit comments on or before March 1, 1995.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok: Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 400 Maryland Avenue, SW., room 5624, Regional Office Building 3, Washington, DC 20202-4651.

**FOR FURTHER INFORMATION CONTACT:**

Patrick J. Sherrill (202)708-9915.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information

Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: January 25, 1995.

**Gloria Parker,**

*Director, Information Resources Group.*

### Office of Postsecondary Education

*Type of Review:* Revision

*Title:* Fiscal Operations Report and Application to Participate in Federal Perkins Loan, Federal Supplemental Educational Opportunity Grant, and Federal Work-Study Programs

*Frequency:* Annually

*Affected Public:* Businesses or other for-profit; Not-for-profit institutions; State, Local or Tribal Government

*Reporting Burden:* Responses: 16

*Burden Hours:* 77,381

*Recordkeeping Burden:* Recordkeepers: 0

*Burden Hours:* 0

*Abstract:* This application data will be used to compute the amount of funds needed by each institution during the 1996-97 Award Year. The fiscal operations report data will be used to assess program effectiveness, account for funds expended during the 1994-95 Award Year, and as part of the institutional funding process. The Department will use the information for program management and evaluation, and to make grant awards.